

# House File 2130 - Reprinted

HOUSE FILE 2130  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HF 800)  
(SUCCESSOR TO HSB 245)

(As Amended and Passed by the House March 14, 2022)

## A BILL FOR

1 An Act relating to registered all-terrain vehicles and off-road  
2 utility vehicles, and making penalties applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.234A, subsection 1, paragraph f,  
2 Code 2022, is amended to read as follows:

3 f. The all-terrain vehicle is operated on a noninterstate  
4 primary highway, ~~a county roadway in accordance with section~~  
5 ~~321I.10, subsection 2 secondary road~~, or a city street, in  
6 accordance with section 321I.10, subsection 1A, 2, or 3.

7 Sec. 2. Section 321.234A, subsection 2, Code 2022, is  
8 amended to read as follows:

9 2. A person operating an all-terrain vehicle on a highway  
10 shall be at least eighteen years of age, have a valid driver's  
11 license, have financial liability coverage in effect for the  
12 vehicle and carry proof of such financial liability coverage  
13 in accordance with section 321.20B, and ~~the vehicle shall be~~  
14 ~~operated~~ operate the vehicle at speeds of thirty-five miles per  
15 hour or less.

16 Sec. 3. Section 321.234A, Code 2022, is amended by adding  
17 the following new subsection:

18 NEW SUBSECTION. 2A. As provided in section 321.1, an  
19 all-terrain vehicle is a motor vehicle for purposes of this  
20 chapter. Therefore, an all-terrain vehicle operated on a  
21 highway shall be equipped with the parts, lamps, and other  
22 equipment in proper condition and adjustment as required under  
23 this chapter for motor vehicles, including but not limited  
24 to the parts, lamps, and equipment required under sections  
25 321.386, 321.387, 321.404, 321.432, and 321.437.

26 Sec. 4. Section 321.384, subsection 1, Code 2022, is amended  
27 to read as follows:

28 1. Every motor vehicle upon a highway within the state,  
29 at any time from sunset to sunrise, and at such other times  
30 when conditions such as fog, snow, sleet, or rain provide  
31 insufficient lighting to render clearly discernible persons  
32 and vehicles on the highway at a distance of five hundred feet  
33 ahead, shall display lighted headlamps as provided in section  
34 321.415, subject to exceptions with respect to parked vehicles  
35 as provided in this chapter. However, an all-terrain vehicle

1 shall display lighted headlamps as provided in section 321.415  
2 at all times while the vehicle is operated on a highway.

3 Sec. 5. Section 321.385, Code 2022, is amended to read as  
4 follows:

5 **321.385 Headlamps on motor vehicles.**

6 Every motor vehicle other than a motorcycle, ~~or~~ motorized  
7 bicycle, or all-terrain vehicle shall be equipped with at least  
8 two headlamps with at least one on each side of the front  
9 of the motor vehicle, which headlamps shall comply with the  
10 requirements and limitations set forth in [this chapter](#).

11 Sec. 6. Section 321.386, Code 2022, is amended to read as  
12 follows:

13 **321.386 Headlamps on motorcycles, and motorized bicycles, and**  
14 **all-terrain vehicles.**

15 Every motorcycle, ~~and~~ motorized bicycle, and all-terrain  
16 vehicle shall be equipped with at least one and not more than  
17 two headlamps which shall comply with the requirements and  
18 limitations of [this chapter](#).

19 Sec. 7. Section 321I.8, subsection 2, Code 2022, is amended  
20 to read as follows:

21 2. The department shall remit the fees, including user  
22 fees collected pursuant to [section 321I.5](#), to the treasurer  
23 of state, who shall place the money in a special all-terrain  
24 vehicle fund. The money is appropriated to the department for  
25 the all-terrain vehicle programs of the state. The programs  
26 shall include grants, subgrants, contracts, or cost-sharing  
27 of all-terrain vehicle programs with political subdivisions  
28 or incorporated private organizations or both in accordance  
29 with rules adopted by the commission. All-terrain vehicle fees  
30 may be used for the establishment, maintenance, and operation  
31 of all-terrain vehicle recreational riding areas through  
32 the awarding of grants administered by the department, but  
33 shall not be used for law enforcement purposes outside of a  
34 designated off-highway vehicle recreational riding area or for  
35 purchasing, installing, or maintaining signs along a highway

1 outside of a designated off-highway vehicle recreational  
 2 riding area. All-terrain vehicle recreational riding areas  
 3 established, maintained, or operated by the use of such  
 4 grants shall not be operated for profit. All programs using  
 5 cost-sharing, grants, subgrants, or contracts shall establish  
 6 and implement an education instruction program either singly  
 7 or in cooperation with other all-terrain vehicle programs.  
 8 All-terrain vehicle fees may be used to support all-terrain  
 9 vehicle programs on a usage basis. At least fifty percent of  
 10 the special fund shall be available for political subdivisions  
 11 or incorporated private organizations or both. Moneys from  
 12 the special fund not used by the political subdivisions or  
 13 incorporated private organizations or both shall remain in the  
 14 fund and may be used by the department for the administration  
 15 of the all-terrain vehicle programs. Notwithstanding  
 16 section 8.33, moneys in the special fund shall not revert to  
 17 the general fund of the state at the end of a fiscal year.  
 18 Notwithstanding [section 12C.7, subsection 2](#), interest or  
 19 earnings on moneys in the special fund shall remain in the  
 20 fund.

21 Sec. 8. Section 321I.10, Code 2022, is amended by adding the  
 22 following new subsection:

23 NEW SUBSECTION. 1A. A registered all-terrain vehicle or  
 24 off-road utility vehicle may be operated on a primary highway  
 25 that is not part of the interstate road system over the most  
 26 direct and accessible route between an all-terrain vehicle park  
 27 or trail, a secondary road designated under subsection 2, and a  
 28 city street designated under subsection 3.

29 Sec. 9. Section 321I.10, subsections 2 and 3, Code 2022, are  
 30 amended to read as follows:

31 2. A registered all-terrain vehicle or off-road utility  
 32 vehicle may be operated on ~~the roadways of that portion of~~  
 33 ~~county highways designated by the county board of supervisors~~  
 34 ~~for such use during a specified period~~ secondary roads.  
 35 ~~The county board of supervisors shall evaluate the traffic~~

1 ~~conditions on all county highways and designate roadways on~~  
 2 ~~which all-terrain vehicles or off-road utility vehicles may be~~  
 3 ~~operated for the specified period without unduly interfering~~  
 4 ~~with or constituting an undue hazard to conventional motor~~  
 5 ~~vehicle traffic. In designating such roadways, the board may~~  
 6 ~~authorize all-terrain vehicles and off-road utility vehicles~~  
 7 ~~to stop at service stations or convenience stores along~~  
 8 ~~a designated roadway. However, a county may prohibit the~~  
 9 operation of all-terrain vehicles and off-road utility vehicles  
 10 on a segment of a road under its jurisdiction pursuant to an  
 11 agreement with a local all-terrain vehicle or off-road utility  
 12 vehicle club or organization. Such an agreement shall be in  
 13 writing and shall be valid for not more than five years unless  
 14 renewed. Such an agreement may be renewed any number of times,  
 15 with each renewal valid for not more than five years.

16 3. Cities may regulate the operation of registered  
 17 all-terrain vehicles and registered off-road utility vehicles  
 18 and may designate streets under the jurisdiction of cities  
 19 within their respective corporate limits which may be used for  
 20 the operation of ~~registered all-terrain vehicles or registered~~  
 21 ~~off-road utility~~ such vehicles. In designating such streets,  
 22 the city may authorize all-terrain vehicles and off-road  
 23 utility vehicles to stop at service stations or convenience  
 24 stores along a designated street. However, a city shall not  
 25 charge a fee to operate a registered all-terrain vehicle or  
 26 registered off-road utility vehicle within the city.

27 Sec. 10. Section 331.301, Code 2022, is amended by adding  
 28 the following new subsection:

29 NEW SUBSECTION. 21. A county shall not adopt an ordinance,  
 30 motion, resolution, or amendment, or use any other means, that  
 31 prohibits or regulates the operation of registered all-terrain  
 32 vehicles or off-road utility vehicles on secondary roads within  
 33 its jurisdiction, unless otherwise authorized by state law.  
 34 However, an ordinance, motion, resolution, or amendment adopted  
 35 prior to January 1, 2022, that authorizes and regulates the

1 operation of all-terrain vehicles or off-road utility vehicles  
2 on secondary roads shall remain in effect and is enforceable  
3 on and after the effective date of this Act. Any modification  
4 to such a provision after the effective date of this Act shall  
5 comply with state law.